

have the right to fly, why should they have the right to own a gun? People like Faisal Shahzad was already on the no-fly list when he attempted to bomb Times Square on May 1, 2010. If he had decided to walk into a gun store that day and purchase a gun, he would have been able to do so. This makes no sense.

It is time for us to engage in common sense. It is time for the Homeland Security Committee to come together in a unanimous fashion and pass H.R. 1076. There is a discharge petition on the floor. This bill should come before the full House. Vote however you want to, but give each and every Member of this House the opportunity to be recorded on whether or not one wants people who are on suspected terrorist lists to be able to buy a gun.

□ 1430

For those who may be on that list for purposes that are wrong or in error, so they have to wait 3 days before they get the gun. Better to have safety in this country for all Americans, better to have persons who do not belong in a position of owning a gun, but belong on the list not to fly, to not be able to buy a gun.

#### MOTION TO ADJOURN

Ms. SPEIER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from California (Ms. SPEIER).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. SPEIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 4, nays 394, answered “present” 2, not voting 33, as follows:

[Roll No. 677]

#### YEAS—4

DeFazio Johnson, E. B.  
Harris Peterson

#### NAYS—394

Abraham	Boyle, Brendan	Castor (FL)
Adams	F.	Castro (TX)
Aderholt	Brady (PA)	Chabot
Allen	Brady (TX)	Chaffetz
Amash	Brat	Chu, Judy
Ashford	Bridenstine	Clark (MA)
Babin	Brooks (AL)	Clarke (NY)
Barletta	Brooks (IN)	Clawson (FL)
Barr	Brown (FL)	Cleaver
Barton	Brownley (CA)	Clyburn
Beatty	Buchanan	Coffman
Becerra	Buck	Cole
Benish	Bucshon	Collins (GA)
Bera	Burgess	Comstock
Beyer	Bustos	Conaway
Bilirakis	Butterfield	Connolly
Bishop (GA)	Byrne	Conyers
Bishop (UT)	Calvert	Cook
Black	Capps	Cooper
Blackburn	Capuano	Costello (PA)
Blum	Cárdenas	Courtney
Blumenauer	Carney	Cramer
Bonamici	Carson (IN)	Crawford
Bost	Carter (GA)	Crenshaw
Boustany	Carter (TX)	Crowley
	Cartwright	Cuellar

Culberson	Jordan	Pearce
Cummings	Joyce	Pelosi
Curbelo (FL)	Kaptur	Perry
Davis (CA)	Katko	Peters
Davis, Rodney	Keating	Pingree
DeGette	Kelly (IL)	Pitts
Delaney	Kelly (MS)	Pocan
DeLauro	Kelly (PA)	Poe (TX)
DelBene	Kennedy	Poliquin
Denham	Kildee	Polis
Dent	Kilmer	Pompeo
DeSantis	Kind	Posey
DeSaulnier	King (IA)	Price (NC)
DesJarlais	King (NY)	Price, Tom
Diaz-Balart	Kinzinger (IL)	Quigley
Doggett	Kirkpatrick	Rangel
Dold	Kline	Ratcliffe
Doyle, Michael	Knight	Reed
F.	Kuster	Reichert
Duckworth	Labrador	Renacci
Duffy	LaHood	Ribble
Duncan (SC)	LaMalfa	Rice (NY)
Duncan (TN)	Lamborn	Rice (SC)
Ellison	Lance	Richmond
Elmiers (NC)	Langevin	Rigell
Emmer (MN)	Larsen (WA)	Roby
Engel	Larson (CT)	Roe (TN)
Eshoo	Latta	Rogers (AL)
Esty	Lawrence	Rogers (KY)
Farenthold	Lee	Rohrabacher
Farr	Levin	Rokita
Fattah	Lieu, Ted	Rooney (FL)
Fincher	LoBiondo	Ros-Lehtinen
Fitzpatrick	Loeb	Roskam
Fleischmann	Lofgren	Ross
Fleming	Long	Rothfus
Flores	Loudermilk	Rouzer
Forbes	Love	Roybal-Allard
Fortenberry	Lowenthal	Royce
Foster	Lowe	Ruiz
Fox	Lucas	Ruppersberger
Fox	Luettkemeyer	Ryan (OH)
Frankel (FL)	Lujan Grisham	Salmon
Franks (AZ)	(NM)	Sánchez, Linda
Frelinghuysen	Lujan, Ben Ray	T.
Fudge	(NM)	Sanchez, Loretta
Gabbard	Lynch	Sanford
Gallego	MacArthur	Sarbanes
Garamendi	Maloney,	Scalise
Garrett	Carolyn	Schakowsky
Gibbs	Maloney, Sean	Schiff
Gibson	Marchant	Schweikert
Gohmert	Marino	Scott (VA)
Goodlatte	Massie	Scott, Austin
Gosar	Matsui	Sensenbrenner
Gowdy	McCarthy	Serrano
Graham	McCaul	Sessions
Graves (GA)	McClintock	Sewell (AL)
Graves (LA)	McCollum	Sherman
Graves (MO)	McDermott	Shimkus
Grayson	McGovern	Shuster
Green, Al	McHenry	Simpson
Green, Gene	McKinley	Sinema
Griffith	McMorris	Sires
Grothman	Rodgers	Slaughter
Guinta	McNerney	Smith (MO)
Guthrie	McSally	Smith (NE)
Hahn	Meadows	Smith (NJ)
Hanna	Meehan	Smith (TX)
Hardy	Meeks	Smith (WA)
Harper	Meng	Speier
Hastings	Messer	Stefanik
Heck (NV)	Mica	Stewart
Heck (WA)	Hensarling	Stivers
Herrera Beutler	Herrera Beutler	Stutzman
Hice, Jody B.	Hice, Jody B.	Swalwell (CA)
Higgins	Hill	Takano
Hill	Himes	Thompson (CA)
Hinojosa	Hironaka	Thompson (MS)
Holding	Holding	Thompson (PA)
Honda	Hoyer	Thornberry
Hoyer	Hudson	Tiberi
Huelskamp	Huelskamp	Tipton
Huizenga (MI)	Huizenga (MI)	Tonko
Hultgren	Hultgren	Torres
Hunter	Hunter	Trott
Hurd (TX)	Hurd (TX)	Tsongas
Hurt (VA)	Hurt (VA)	Turner
Israel	Issa	Upton
Issa	O'Rourke	Valadao
Jackson Lee	Olson	Van Hollen
Jenkins (KS)	Palazzo	Vargas
Jenkins (WV)	Pallone	Veasey
Johnson (GA)	Palmer	Vela
Johnson (OH)	Pascrell	Velázquez
Jolly	Paulsen	Visclosky
Jones	Payne	Wagner
		Walberg
		Walden

Walker	Welch	Woodall
Walorski	Wenstrup	Yarmuth
Walters, Mimi	Westerman	Yoder
Walz	Westmoreland	Yoho
Wasserman	Whitfield	Young (IA)
Schultz	Williams	Young (IN)
Waters, Maxine	Wilson (FL)	Zeldin
Watson Coleman	Wilson (SC)	Zinke
Weber (TX)	Wittman	
Webster (FL)	Womack	

#### ANSWERED “PRESENT”—2

Cohen	Lipinski
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#### NOT VOTING—33

Aguilar	Donovan	Mooney (WV)
Amodei	Edwards	Murphy (PA)
Bass	Granger	Perlmutter
Bishop (MI)	Grijalva	Pittenger
Cicilline	Gutiérrez	Rush
Clay	Hartzler	Russell
Collins (NY)	Huffman	Schrader
Costa	Jeffries	Scott, David
Davis, Danny	Johnson, Sam	Takai
Deutch	Lewis	Titus
Dingell	Lummis	Young (AK)

□ 1452

Messrs. MEEHAN, POMPEO, ELLISON, and BABIN changed their vote from “yea” to “nay.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

#### PERSONAL EXPLANATION

Mrs. HARTZLER. Mr. Speaker, on Tuesday, December 8, 2015, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 675, “nay,” on rollcall No. 677, “nay.”

#### HSA TECHNICAL CORRECTIONS ACT

The SPEAKER pro tempore (Mr. YOUNG of Iowa). The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Speaker, I would like to say thank you to the gentlewoman from Texas (Ms. JACKSON LEE) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), my good friend, for the fine work they did on this bipartisan, noncontroversial bill that is common sense and does the right thing. But, unfortunately, it has been hijacked, Mr. Speaker.

It has been hijacked for this ruse. They set it aside. They said: Well, we have got this discharge petition. We want to get this bill on the floor.

Mr. Speaker, they don't have the names to get the bill on the floor. Furthermore, I contend they don't even want to vote for it. They don't want to vote on it. They just want to talk about this. These are the folks who tell everybody that they are here to protect your rights.

Mr. Speaker, they talk about they want the people on the no-fly list to have their right to firearms taken away from them, understanding—hopefully, they understand—they have no idea what it takes to get on the no-fly list. These people on the no-fly list have no idea half the time that they are on it.

Furthermore, the no-fly list is maintained by bureaucrats, the same administration that persecutes its citizens and has them audited by the IRS

for their beliefs and what they say at a prayer breakfast.

With that, Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I want to congratulate the gentleman from Pennsylvania (Mr. PERRY), my friend, and the gentlewoman from Texas (Ms. JACKSON LEE), my friend, for having a bill that would actually clean up some problems within Homeland Security.

But, as I listen to the debate, including the last gentlewoman who moved for adjournment, I wonder if people who speak on this floor, Mr. Speaker, sometimes listen to themselves. As the gentlewoman pointed out—we could have the words read back, but she actually said that the Times Square bomber, the guy that was trying to blow up people with a bomb in Times Square, could have gone in and bought a gun. Obviously, he wasn't using a gun.

We also know that, as our friends across the aisle have proposed more stringent background checks and more extensive gun control laws, that not one of the proposals of this administration would have stopped the killings in Colorado, in Oregon at the community college, or at San Bernardino. This body ought to be about doing things that make a difference, not doing things for show.

As far as the no-fly list, when we have a process that is conducted behind closed doors, a process that was not formulated and voted on by the elected Members of Congress, that puts people on a no-fly list, my friends who support that idea are telling people around the country, including the 200,000 people buying guns in the last month, that we want an arbitrary process by a President, who a Muslim Brotherhood publication in Egypt says is advised by six of their top Muslim brothers, to formulate a list—it is not my words. That is the Egyptian publication back in December of 2012. They want that President formulating behind closed doors a list of Americans who can never buy a gun. This is the same administration that has gone after conservative organizations with the IRS.

Let me also point out that, before you try to clean out the homes of honest, law-abiding Americans, including a general who is a constituent who keeps ending up on the no-fly list, why don't you get rid of the 72 Department of Homeland Security employees who were on the no-fly list before you try to take guns away from law-abiding Americans.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOHMERT. May I have 30 more seconds?

Mr. PERRY. No. I need to keep moving. I reserve the balance of my time.

□ 1500

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Let me just say this: I am not sure if the gentleman from Texas, a dear

friend, was asking us to get rid of the no-fly list or the watch list.

Our point today, Mr. Speaker, is very narrow. We are just asking that terrorists not be able to walk into a gun shop and buy a gun. This is a loophole that is most glaring. Eighty percent of the American people believe that this is impossible; it must not be true. We are trying to prevent suspected terrorists from walking into a gun store and buying a deadly weapon.

The investigation, tragically, in California is not yet finished, so we don't have the final answer as to what would have prevented that. But it is astonishing that the loophole has allowed more than 2,000 suspects on the FBI terrorist watch list to buy guns in the U.S. over the past 11 years.

When I started this debate, I was happy that we had come to the floor to deal with Homeland Security bills. The American people want the homeland safe and secure. They don't want demagoguery. They want safety and security.

Legislation blocking terrorists from getting guns makes America no more safer and secure than apple pie. This is a time when more than 90 percent of all suspected terrorists who tried to buy guns in America walked away and bought them. They got the weapon they wanted. This is not criminals, gangs, or others. We are dealing with those individuals who are terrorists. They have the right to get a gun.

Can we do something this week, Mr. Speaker? Can we add to the safety and security of the American people? As we pass this bill, H.R. 3859, which I applaud its correcting technicalities, can we join together and can we pass closing the gun loophole that allows terrorists to go and buy a gun to terrorize innocent Americans? I think we can do better.

Mr. Speaker, I reserve the balance of my time.

Mr. PERRY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, I thank the chairman for yielding.

We have talked a lot in the last couple of weeks about the visa waiver program, visas in general, and Syrian refugees. Let me remind this body and the American people that 49 percent of all illegals in this country didn't cross our southern border; they came here with a permission slip in their hand, known as a visa. And they chose to overstay that visa. Now they are categorized as visa overstays. These overstays are people that we trusted by giving them a permission slip to come into our great country.

There are six words that ought to be brought up as we talk about this issue: secure the border, enforce the laws. That is how you keep America safe.

I want to tell you, national security is at stake here. Americans are concerned. I won't say Americans are

afraid, but they are concerned. They expect us to do our job to secure this great Nation. They expect us to look into the visa waiver program. They expect us to look into the refugees and the vetting process. They expect us to keep them safe.

We ought to talk about securing the border and enforcing the laws. We are not chasing footprints in the desert with regard to the visa overstays. We know who these people are. They have had an interview at a consulate or embassy. We probably have a thumbprint, a picture, a name. We probably have an address of where they are going.

Let's keep our eye on the ball here. Americans expect us to keep them safe, and that is by reviewing the visa waiver program, that is considering the vetting process, and that is enforcing the law. Let's secure our Nation.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I started by saying that the American people are looking to us to secure the homeland.

As we look at these series of bills that we have on the floor, H.R. 3859 is a technical corrections bill. This is a bill that should be passed. Americans expect clarity from this body. Clarity from this body means that at the same time as we pass H.R. 3859, we should also be concerned about making sure that we close gun show loopholes so as to avoid having terrorists buy guns.

I believe that that is the appropriate and direct way to handle this question of securing the Nation. Do the obvious to secure the Nation: stop terrorists from getting guns.

Mr. Speaker, I yield back the balance of my time.

Mr. PERRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, once again, urge my colleagues to support H.R. 3859, which is really the issue at hand.

Regarding the other issue that is being discussed here, this is an issue of failure of foreign policy: an open border and a visa waiver program that allows terrorists to come into our Nation unfettered. Other than the issue at hand, that is the issue that we are really talking about.

Mr. Speaker, I ask my colleagues to support H.R. 3859, the HSA Technical Corrections Act. Again, it is important, commonsense legislation. It amends the Homeland Security Act of 2002 by updating obsolete language and striking outdated offices and reporting requirements.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COLLINS of New York). The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and pass the bill, H.R. 3859, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

# MOTION TO ADJOURN

Mrs. CAPPS. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mrs. CAPPS. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 7, nays 398, answered “present” 4, not voting 24, as follows:

[Roll No. 678]		
YEAS—7		
DeFazio	Johnson, E. B.	Peterson
Farr	Labrador	
Harris	Massie	
NAYS—398		
Abraham	Collins (NY)	Garrett
Adams	Comstock	Gibbs
Aderholt	Conaway	Gibson
Allen	Connolly	Gohmert
Amash	Conyers	Goodlatte
Ashford	Cook	Gosar
Babin	Cooper	Gowdy
Barletta	Costa	Graham
Barr	Costello (PA)	Granger
Barton	Courtney	Graves (GA)
Bass	Cramer	Graves (LA)
Beatty	Crawford	Graves (MO)
Becerra	Crenshaw	Grayson
Benishek	Crowley	Green, Al
Bera	Cuellar	Green, Gene
Beyer	Culberson	Griffith
Billirakis	Cummings	Grithman
Bishop (GA)	Curbelo (FL)	Guinta
Black	Davis (CA)	Guthrie
Blackburn	Davis, Danny	Gutiérrez
Blum	Davis, Rodney	Hahn
Blumenauer	DeGette	Hanna
Bonamici	Delaney	Hardy
Bost	DeLauro	Harper
Boustany	DelBene	Hartzler
Boyle, Brendan	Denham	Hastings
F.	Dent	Heck (NV)
Brady (PA)	DeSantis	Heck (WA)
Brady (TX)	DeSaulnier	Hensarling
Brat	DesJarlais	Herrera Beutler
Bridenstine	Deutch	Hice, Jody B.
Brooks (AL)	Diaz-Balart	Higgins
Brooks (IN)	Doggett	Hill
Brown (FL)	Dold	Himes
Brownley (CA)	Doyle, Michael	Hinojosa
Buchanan	F.	Holding
Buck	Duckworth	Honda
Bucshon	Duffy	Hoyer
Burgess	Duncan (SC)	Hudson
Bustos	Duncan (TN)	Huelskamp
Butterfield	Edwards	Huffman
Byrne	Ellison	Huizenga (MI)
Calvert	Ellmers (NC)	Hultgren
Capps	Emmer (MN)	Hunter
Capuano	Engel	Hurd (TX)
Carney	Eshoo	Hurt (VA)
Carson (IN)	Esty	Israel
Carter (GA)	Farenthold	Issa
Carter (TX)	Fattah	Jackson Lee
Cartwright	Fincher	Jeffries
Castor (FL)	Fitzpatrick	Jenkins (KS)
Castro (TX)	Fleischmann	Jenkins (WV)
Chabot	Fleming	Johnson (GA)
Chaffetz	Flores	Johnson (OH)
Chu, Judy	Forbes	Jolly
Cicilline	Fortenberry	Jones
Clark (MA)	Foster	Jordan
Clarke (NY)	Fox	Joyce
Clawson (FL)	Frankel (FL)	Kaptur
Clay	Franks (AZ)	Katko
Cleaver	Frelinghuysen	Keating
Clyburn	Fudge	Kelly (IL)
Coffman	Gabbard	Kelly (MS)
Collins (GA)	Gallego	Kelly (PA)

Kennedy	Neal	Sewell (AL)
Kildee	Neugebauer	Sherman
Kilmer	Newhouse	Shimkus
Kind	Noem	Shuster
King (IA)	Nolan	Sinema
King (NY)	Norcross	Sires
Kinziger (IL)	Nugent	Slaughter
Kirkpatrick	Nunes	Smith (MO)
Kline	O'Rourke	Smith (NE)
Knight	Olson	Smith (NJ)
Kuster	Palazzo	Smith (TX)
LaHood	Pallone	Smith (WA)
LaMalfa	Palmer	Speier
Lamborn	Pascrell	Stefanik
Lance	Paulsen	Stewart
Langevin	Payne	Stivers
Larson (CT)	Pearce	Stutzman
Latta	Pelosi	Swalwell (CA)
Lawrence	Perry	Takano
Lee	Peters	Thompson (CA)
Levin	Pingree	Thompson (MS)
Lieu, Ted	Pittenger	Thompson (PA)
LoBiondo	Pitts	Thornberry
Loeb	Pocan	Tiberi
Lofgren	Poe (TX)	Tipton
Long	Poliquin	Titus
Loudermilk	Polis	Tonko
Love	Pompeo	Torres
Lowenthal	Posey	Trott
Lowe	Price (NC)	Tsongas
Lucas	Price, Tom	Turner
Luetkemeyer	Quigley	Upton
Lujan Grisham	Rangel	Valadao
(NM)	Ratcliffe	Van Hollen
Lujan, Ben Ray	Reed	Vargas
(NM)	Reichert	Veasey
Lynch	Renacci	Vela
MacArthur	Ribble	Velázquez
Maloney,	Rice (NY)	Visclosky
Carolyn	Rice (SC)	Wagner
Maloney, Sean	Rigell	Walberg
Marchant	Roby	Walden
Marino	Roe (TN)	Walker
Matsui	Rogers (AL)	Walorski
McCarthy	Rogers (KY)	Walters, Mimi
McCaul	Rohrabacher	Walz
McClintock	Rokita	Wasserman
McCollum	Rooney (FL)	Schultz
McDermott	Ros-Lehtinen	Waters, Maxine
McGovern	Ross	Watson Coleman
McHenry	Rothfus	Weber (TX)
McKinley	Rouzer	Webster (FL)
McMorris	Roybal-Allard	Welch
Rodgers	Royce	Wenstrup
McNerney	Ruiz	Westerman
McSally	Ruppersberger	Westmoreland
Meadows	Ryan (OH)	Whitfield
Meehan	Salmon	Williams
Meeks	Sánchez, Linda	Wilson (FL)
Meng	T.	Wilson (SC)
Messer	Sanchez, Loretta	Wittman
Mica	Sanford	Womack
Miller (FL)	Sarbanes	Woodall
Miller (MI)	Scalise	Yarmuth
Moolenaar	Schakowsky	Yoder
Moore	Schiff	Yoho
Moulton	Schweikert	Young (IA)
Mullin	Scott (VA)	Young (IN)
Murphy (FL)	Scott, Austin	Zeldin
Murphy (PA)	Sensenbrenner	Zinke
Nadler	Serrano	
Napolitano	Sessions	

## ANSWERED “PRESENT”—4

Cohen	Richmond
Lipinski	Young (AK)

## NOT VOTING—24

Aguilar	Garamendi	Perlmutter
Amodei	Grijalva	Roskam
Bishop (MI)	Johnson, Sam	Rush
Bishop (UT)	Larsen (WA)	Russell
Cárdenas	Lewis	Schrader
Cole	Lummis	Scott, David
Dingell	Mooney (WV)	Simpson
Donovan	Mulvaney	Takai

□ 1535

Mr. GRAVES of Georgia changed his vote from “yea” to “nay.”

Mr. MASSIE changed his vote from “nay” to “yea.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

# VISA WAIVER PROGRAM IMPROVEMENT AND TERRORIST TRAVEL PREVENTION ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 158) to clarify the grounds for ineligibility for travel to the United States regarding terrorism risk, to expand the criteria by which a country may be removed from the Visa Waiver Program, to require the Secretary of Homeland Security to submit a report on strengthening the Electronic System for Travel Authorization to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 158

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015”.

## SEC. 2. ELECTRONIC PASSPORT REQUIREMENT.

(a) REQUIREMENT FOR ALIEN TO POSSESS ELECTRONIC PASSPORT.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended to read as follows:

“(3) PASSPORT REQUIREMENTS.—The alien, at the time of application for admission, is in possession of a valid unexpired passport that satisfies the following:

“(A) MACHINE READABLE.—The passport is a machine-readable passport that is tamper-resistant, incorporates document authentication identifiers, and otherwise satisfies the internationally accepted standard for machine readability.

“(B) ELECTRONIC.—Beginning on April 1, 2016, the passport is an electronic passport that is fraud-resistant, contains relevant biographic and biometric information (as determined by the Secretary of Homeland Security), and otherwise satisfies internationally accepted standards for electronic passports.”.

(b) REQUIREMENT FOR PROGRAM COUNTRY TO VALIDATE PASSPORTS.—Section 217(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(B)) is amended to read as follows:

“(B) PASSPORT PROGRAM.—

“(i) ISSUANCE OF PASSPORTS.—The government of the country certifies that it issues to its citizens passports described in subparagraph (A) of subsection (a)(3), and on or after April 1, 2016, passports described in subparagraph (B) of subsection (a)(3).

“(ii) VALIDATION OF PASSPORTS.—Not later than October 1, 2016, the government of the country certifies that it has in place mechanisms to validate passports described in subparagraphs (A) and (B) of subsection (a)(3) at each key port of entry into that country. This requirement shall not apply to travel between countries which fall within the Schengen Zone.”.

(c) CONFORMING AMENDMENT.—Section 303(c) of the Enhanced Border Security and Visa Entry Reform Act of 2002 is repealed (8 U.S.C. 1732(c)).

## SEC. 3. RESTRICTION ON USE OF VISA WAIVER PROGRAM FOR ALIENS WHO TRAVEL TO CERTAIN COUNTRIES.

Section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)), as amended by this Act, is further amended by adding at the end the following: